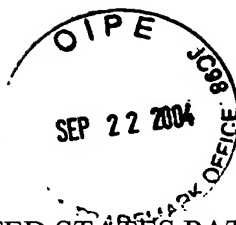


DOCKET NO: 220321US6



IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :
TAKASHI SASAKI, ET AL. : EXAMINER: MICHAEL V.
BATTAGLIA
SERIAL NO: 10/092,886 :
FILED: MARCH 8, 2002 : GROUP ART UNIT: 2652
FOR: OPTICAL DISC DEVICE AND CONTROL :
METHOD FOR OPTICAL DISC DEVICE

ELECTION OF SPECIES

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

In response to the Election Requirement mailed August 23, 2004, Applicants provisionally elect the embodiment of Fig. 1. At least Claims 1-16 are readable on the optical device of Fig. 1. Claims 1-16 are also believed to be readable on the device of Fig. 6. Applicants traverse this provisional election to the extent that Applicants are prejudiced against filing one or more divisional applications that cover the non-elected claims.

However, if the Election requirement is not withdrawn, it is believed that examination of Claims 1-16 is in order. Accordingly, an action on the merits is respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
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